

By: Manning Hallgren

S.B. No. 1283

A BILL TO BE ENTITLED

AN ACT

relating to the authority of chiropractors to form certain business entities with certain other professionals.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. <sup>Sub</sup>~~N~~ Sections C and D, Article 2.01, Texas Non-Profit Corporation Act (Article 1396-2.01, Vernon's Texas Civil Statutes), are amended to read as follows:

C. Doctors of medicine and osteopathy licensed by the Texas State Board of Medical Examiners, ~~and~~ podiatrists licensed by the Texas State Board of Podiatric Medical Examiners, and chiropractors licensed by the Texas Board of Chiropractic Examiners may organize a non-profit corporation under this Act that is jointly owned, managed, and controlled by those practitioners to perform a professional service that falls within the scope of practice of those practitioners and consists of:

(1) carrying out research in the public interest in medical science, medical economics, public health, sociology, or a related field;

(2) supporting medical education in medical schools through grants or scholarships;

(3) developing the capabilities of individuals or institutions studying, teaching, or practicing medicine, including podiatric medicine;

(4) delivering health care to the public; or/

1/2

1 (5) instructing the public regarding medical science,  
2 public health, hygiene, or a related matter.

3 D. When doctors of medicine, osteopathy, ~~and~~ podiatry,  
4 and chiropractic organize a non-profit corporation that is jointly  
5 owned by those practitioners, the authority of each of the  
6 practitioners is limited by the scope of practice of the respective  
7 practitioners and none can exercise control over the other's  
8 clinical authority granted by their respective licenses, either  
9 through agreements, articles of incorporation, bylaws, directives,  
10 financial incentives, or other arrangements that would assert  
11 control over treatment decisions made by the practitioner. The  
12 Texas State Board of Medical Examiners, ~~and~~ the Texas State Board  
13 of Podiatric Medical Examiners, and the Texas Board of Chiropractic  
14 Examiners continue to exercise regulatory authority over their  
15 respective licenses.

16 SECTION 2. <sup>Subsection (B),</sup> ~~Section 2 (B)~~, Texas Professional Association Act  
17 (Article 1528f, Vernon's Texas Civil Statutes), is amended to read  
18 as follows:

19 (B) Licenses. (1) Except as provided by this subsection,  
20 all members of the association shall be licensed to perform the type  
21 of professional service for which the association is formed.

22 (2) Doctors of medicine and osteopathy licensed by the  
23 Texas State Board of Medical Examiners, ~~and~~ podiatrists licensed  
24 by the Texas State Board of Podiatric Medical Examiners, and  
25 chiropractors licensed by the Texas Board of Chiropractic Examiners  
26 may form an association that is jointly owned by those  
27 practitioners to perform a professional service that falls within/ 2/3

1 the scope of practice of those practitioners.

2 (3) Professionals, other than physicians, engaged in  
3 related mental health fields such as psychology, clinical social  
4 work, licensed professional counseling, and licensed marriage and  
5 family therapy may form an association that is jointly owned by  
6 those practitioners to perform professional services that fall  
7 within the scope of practice of those practitioners.

8 (4) When doctors of medicine, osteopathy, ~~and~~  
9 podiatry, and chiropractic, or mental health professionals form an  
10 association that is jointly owned by those practitioners, the  
11 authority of each of the practitioners is limited by the scope of  
12 practice of the respective practitioners and none can exercise  
13 control over the other's clinical authority granted by their  
14 respective licenses, either through agreements, bylaws,  
15 directives, financial incentives, or other arrangements that would  
16 assert control over treatment decisions made by the practitioner.  
17 The state agencies exercising regulatory control over professions  
18 to which this subdivision applies continue to exercise regulatory  
19 authority over their respective licenses.

20 SECTION 3. <sup>Subsection (3),</sup> ~~Section A(3)~~, Article 11.01, Texas Limited  
21 Liability Company Act (Article 1528n, Vernon's Texas Civil  
22 Statutes), is amended to read as follows:

23 (3) Doctors of medicine and osteopathy licensed by the  
24 Texas State Board of Medical Examiners, ~~and~~ podiatrists licensed  
25 by the Texas State Board of Podiatric Medical Examiners, and  
26 chiropractors licensed by the Texas Board of Chiropractic Examiners  
27 may organize a professional limited liability company that is/ 7/4

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11 assert control over treatment decisions made by the practitioner.  
12 The Texas State Board of Medical Examiners, ~~[and]~~ the Texas State  
13 Board of Podiatric Medical Examiners, and the Texas Board of  
14 Chiropractic Examiners continue to exercise regulatory authority  
15 over their respective licenses.

16 SECTION 4. <sup>Subsection (e),</sup> Section 2.02~~(e)~~, Texas Revised Partnership Act  
17 (Article 6132b-2.02, Vernon's Texas Civil Statutes), is amended to  
18 read as follows:

19 (e) Authority of Doctors of Medicine, ~~[and]~~ Osteopathy, and  
20 Chiropractic <sup>g</sup> and Podiatrists to Create Partnership. Doctors of  
21 medicine and osteopathy licensed by the Texas State Board of  
22 Medical Examiners, ~~[and]~~ podiatrists licensed by the Texas State  
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9    Medical Examiners, ~~[and]~~ the Texas State Board of Podiatric Medical  
10   Examiners, and the Texas Board of Chiropractic Examiners continue  
11   to exercise regulatory authority over their respective licenses.

12        SECTION 5. This Act takes effect September 1, 2003.

By: Gallegos S.B. No. 1283  
(In the Senate - Filed March 12, 2003; March 19, 2003, read first time and referred to Committee on Health and Human Services; April 22, 2003, reported favorably by the following vote: Yeas 7, Nays 0; April 22, 2003, sent to printer.)

A BILL TO BE ENTITLED  
AN ACT

relating to the authority of chiropractors to form certain business entities with certain other professionals.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subsections C and D, Article 2.01, Texas Non-Profit Corporation Act (Article 1396-2.01, Vernon's Texas Civil Statutes), are amended to read as follows:

C. Doctors of medicine and osteopathy licensed by the Texas State Board of Medical Examiners, ~~and~~ podiatrists licensed by the Texas State Board of Podiatric Medical Examiners, and chiropractors licensed by the Texas Board of Chiropractic Examiners may organize a non-profit corporation under this Act that is jointly owned, managed, and controlled by those practitioners to perform a professional service that falls within the scope of practice of those practitioners and consists of:

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D. When doctors of medicine, osteopathy, ~~and~~ podiatry, and chiropractic organize a non-profit corporation that is jointly owned by those practitioners, the authority of each of the practitioners is limited by the scope of practice of the respective practitioners and none can exercise control over the other's clinical authority granted by their respective licenses, either through agreements, articles of incorporation, bylaws, directives, financial incentives, or other arrangements that would assert control over treatment decisions made by the practitioner. The Texas State Board of Medical Examiners, ~~and~~ the Texas State Board of Podiatric Medical Examiners, and the Texas Board of Chiropractic Examiners continue to exercise regulatory authority over their respective licenses.

SECTION 2. Subsection (B), Section 2, Texas Professional Association Act (Article 1528f, Vernon's Texas Civil Statutes), is amended to read as follows:

(B) Licenses. (1) Except as provided by this subsection, all members of the association shall be licensed to perform the type of professional service for which the association is formed.

(2) Doctors of medicine and osteopathy licensed by the Texas State Board of Medical Examiners, ~~and~~ podiatrists licensed by the Texas State Board of Podiatric Medical Examiners, and chiropractors licensed by the Texas Board of Chiropractic Examiners may form an association that is jointly owned by those practitioners to perform a professional service that falls within the scope of practice of those practitioners.

(3) Professionals, other than physicians, engaged in related mental health fields such as psychology, clinical social work, licensed professional counseling, and licensed marriage and family therapy may form an association that is jointly owned by those practitioners to perform professional services that fall within the scope of practice of those practitioners.

(4) When doctors of medicine, osteopathy, ~~and~~ podiatry, and chiropractic, or mental health professionals form an association that is jointly owned by those practitioners, the authority of each of the practitioners is limited by the scope of practice of the respective practitioners and none can exercise control over the other's clinical authority granted by their respective licenses, either through agreements, bylaws, directives, financial incentives, or other arrangements that would assert control over treatment decisions made by the practitioner. The state agencies exercising regulatory control over professions to which this subdivision applies continue to exercise regulatory authority over their respective licenses.

SECTION 3. Subsection (3), Section A, Article 11.01, Texas Limited Liability Company Act (Article 1528n, Vernon's Texas Civil Statutes), is amended to read as follows:

(3) Doctors of medicine and osteopathy licensed by the Texas State Board of Medical Examiners, ~~and~~ podiatrists licensed by the Texas State Board of Podiatric Medical Examiners, and chiropractors licensed by the Texas Board of Chiropractic Examiners may organize a professional limited liability company that is jointly owned by those practitioners to perform a professional service that falls within the scope of practice of those practitioners. When doctors of medicine, osteopathy, ~~and~~ podiatry, and chiropractic organize a professional limited liability company that is jointly owned by those practitioners, the authority of each of the practitioners is limited by the scope of practice of the respective practitioners and none can exercise control over the other's clinical authority granted by their respective licenses, either through agreements, bylaws, directives, financial incentives, or other arrangements that would assert control over treatment decisions made by the practitioner. The Texas State Board of Medical Examiners, ~~and~~ the Texas State Board of Podiatric Medical Examiners, and the Texas Board of Chiropractic Examiners continue to exercise regulatory authority over their respective licenses.

SECTION 4. Subsection (e), Section 2.02, Texas Revised Partnership Act (Article 6132b-2.02, Vernon's Texas Civil Statutes), is amended to read as follows:

(e) Authority of Doctors of Medicine, ~~and~~ Osteopathy, and Chiropractic and Podiatrists to Create Partnership. Doctors of medicine and osteopathy licensed by the Texas State Board of Medical Examiners, ~~and~~ podiatrists licensed by the Texas State Board of Podiatric Medical Examiners, and chiropractors licensed by the Texas Board of Chiropractic Examiners may create a partnership that is jointly owned by those practitioners to perform a professional service that falls within the scope of practice of those practitioners. When doctors of medicine, osteopathy, ~~and~~ podiatry, and chiropractic create a partnership that is jointly owned by those practitioners, the authority of each of the practitioners is limited by the scope of practice of the respective practitioners and none can exercise control over the other's clinical authority granted by their respective licenses, either through agreements, bylaws, directives, financial incentives, or other arrangements that would assert control over treatment decisions made by the practitioner. The Texas State Board of Medical Examiners, ~~and~~ the Texas State Board of Podiatric Medical Examiners, and the Texas Board of Chiropractic Examiners continue to exercise regulatory authority over their respective licenses.

SECTION 5. This Act takes effect September 1, 2003.

\* \* \* \* \*

FAVORABLE  
SENATE COMMITTEE REPORT ON

(SB) SCR SJR SR HB HCR HJR 1283  
By Gallegos  
(Author/Senate Sponsor)  
April 22, 2003  
(date)

Sir:

We, your Committee on HEALTH AND HUMAN SERVICES, to which was referred the attached measure, have on April 15, 2003, had the same under consideration and I am instructed to report it back with the recommendation (s) that it:

☒ do pass and be printed

☐ do pass and be ordered not printed

☒ and is recommended for placement on the Local and Uncontested Bills Calendar.

A fiscal note was requested. ☒ yes ☐ no

A revised fiscal note was requested. ☐ yes ☒ no

An actuarial analysis was requested. ☐ yes ☒ no

Considered by subcommittee. ☐ yes ☒ no

The measure was reported from Committee by the following vote:

	YEA	NAY	ABSENT	PNV
Senator Nelson, Chair	<input checked="" type="checkbox"/>			
Senator Janek, Vice-Chair	<input checked="" type="checkbox"/>			
Senator Carona			<input checked="" type="checkbox"/>	
Senator Deuell	<input checked="" type="checkbox"/>			
Senator Gallegos	<input checked="" type="checkbox"/>			
Senator Lindsay	<input checked="" type="checkbox"/>			
Senator Ratliff			<input checked="" type="checkbox"/>	
Senator West	<input checked="" type="checkbox"/>			
Senator Zaffirini	<input checked="" type="checkbox"/>			
TOTAL VOTES	7	0	2	0

COMMITTEE ACTION

(S260) Considered in public hearing  
(S270) Testimony taken

[Signature]  
COMMITTEE CLERK

[Signature]  
CHAIRMAN

Paper clip the original and one copy of this signed form to the original bill  
Retain one copy of this form for Committee files



WITNESS LIST

SB 1283

SENATE COMMITTEE REPORT

Health & Human Services

April 15, 2003 - 9:00AM

FOR: Klein, Franz Chiropractic (Texas Chiropractic Association), Austin, TX

Registering, but not testifying:

FOR: Ingersoll, Deborah Legislative Solutions, President (Texas Chiropractic College),  
Pasadena, TX

Kent, Patte Executive Director (Texas Chiropractic Association), Austin, TX

White, Dale Chiropractic Doctor (Texas Chiropractic Association), Fort Worth, TX

## **BILL ANALYSIS**

Senate Research Center  
78R5660 ATP-D

S.B. 1283  
By: Gallegos  
Health & Human Services  
3/31/2003  
As Filed

### **DIGEST AND PURPOSE**

Under current law, a number of medical professions are allowed to organize, manage, and co-own limited liability companies, non-profit corporations, professional associations, and partnerships for the purpose of providing professional health care services. As proposed, S.B. 1283 grants the same rights to chiropractors, while specifying that the Texas Board of Chiropractic Examiners would maintain responsibility for licensing and overseeing members of the profession.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Articles 1396-2.01C and D, V.T.C.S., by adding chiropractors licensed by the Texas Board of Chiropractic Examiners (TBCE) to those professionals who may organize a certain non-profit corporation under this Act. Makes conforming changes.

SECTION 2. Amends Section 2(b), Article 1528f, V.T.C.S., by adding chiropractors licensed by TBCE to those professionals who may organize a certain association. Makes a conforming change.

SECTION 3. Amends Section A(3), Article 1528n, V.T.C.S., by adding chiropractors licensed by TBCE to those professionals who may organize a certain professional limited liability company. Makes conforming changes.

SECTION 4. Amends Section 2.02(e), Article 6132b-2.02, V.T.C.S., by adding chiropractors licensed by TBCE to those professionals who may create a certain partnership. Makes conforming changes.

SECTION 5. Effective date: September 1, 2003.

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION**

**April 14, 2003**

**TO: Honorable Jane Nelson, Chair, Senate Committee on Health & Human Services**

**FROM: John Keel, Director, Legislative Budget Board**

**IN RE: SB1283 by Gallegos (Relating to the authority of chiropractors to form certain business entities with certain other professionals.), As Introduced**

<b>No fiscal implication to the State is anticipated.</b>
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Based on the analysis of the Texas Board of Chiropractic Examiners, the provisions of the bill would have no fiscal impact to the state.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

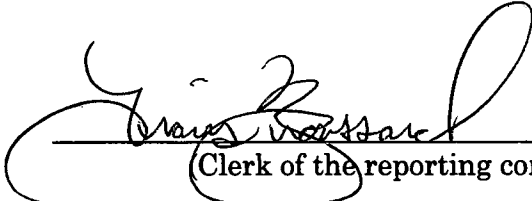
**Source Agencies:** 508 Board of Chiropractic Examiners

**LBB Staff:** JK, EB, RT, TG

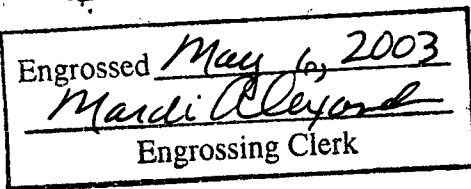
# REQUEST FOR LOCAL & UNCONTESTED CALENDAR PLACEMENT

SENATOR CHRIS HARRIS, CHAIRMAN  
SENATE COMMITTEE ON ADMINISTRATION

Notice is hereby given that SB 1283, by Gallegos,  
(Bill No.) (Author/Sponsor)  
was heard by the Committee on Health & Human Services on April 15, 2003,  
and reported out with the recommendation that it be placed on the Local and Uncontested Calendar.

  
(Clerk of the reporting committee)

**IMPORTANT: A COPY OF THIS FORM MUST BE ATTACHED TO A COMMITTEE PRINTED VERSION OF THE BILL OR RESOLUTION AND SHOULD BE DELIVERED TO THE ADMINISTRATION COMMITTEE OFFICE, E1.714. DEADLINES FOR SUBMITTING BILLS AND RESOLUTIONS WILL BE ANNOUNCED ON A REGULAR BASIS.**



I certify this to be a true and correct  
copy of the indicated document as  
referred or transmitted to committee.

Chief Clerk of the House

By: Gallegos  
(Capelo)

S.B. No. 1283

A BILL TO BE ENTITLED

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relating to the authority of chiropractors to form certain business  
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SECTION 1. Subsections C and D, Article 2.01, Texas  
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C. Doctors of medicine and osteopathy licensed by the Texas  
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a non-profit corporation under this Act that is jointly owned,  
managed, and controlled by those practitioners to perform a  
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medical science, medical economics, public health, sociology, or a  
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D. When doctors of medicine, osteopathy, ~~and~~ podiatry, and chiropractic organize a non-profit corporation that is jointly owned by those practitioners, the authority of each of the practitioners is limited by the scope of practice of the respective practitioners and none can exercise control over the other's clinical authority granted by their respective licenses, either through agreements, articles of incorporation, bylaws, directives, financial incentives, or other arrangements that would assert control over treatment decisions made by the practitioner. The Texas State Board of Medical Examiners, ~~and~~ the Texas State Board of Podiatric Medical Examiners, and the Texas Board of Chiropractic Examiners continue to exercise regulatory authority over their respective licenses.

SECTION 2. Subsection (B), Section 2, Texas Professional Association Act (Article 1528f, Vernon's Texas Civil Statutes), is amended to read as follows:

(B) Licenses. (1) Except as provided by this subsection, all members of the association shall be licensed to perform the type of professional service for which the association is formed.

(2) Doctors of medicine and osteopathy licensed by the Texas State Board of Medical Examiners, ~~and~~ podiatrists licensed by the Texas State Board of Podiatric Medical Examiners, and chiropractors licensed by the Texas Board of Chiropractic Examiners may form an association that is jointly owned by those practitioners to perform a professional service that falls within

1 the scope of practice of those practitioners.

2 (3) Professionals, other than physicians, engaged in  
3 related mental health fields such as psychology, clinical social  
4 work, licensed professional counseling, and licensed marriage and  
5 family therapy may form an association that is jointly owned by  
6 those practitioners to perform professional services that fall  
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8 (4) When doctors of medicine, osteopathy, ~~and~~  
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15 directives, financial incentives, or other arrangements that would  
16 assert control over treatment decisions made by the practitioner.  
17 The state agencies exercising regulatory control over professions  
18 to which this subdivision applies continue to exercise regulatory  
19 authority over their respective licenses.

20 SECTION 3. Subsection (3), Section A, Article 11.01, Texas  
21 Limited Liability Company Act (Article 1528n, Vernon's Texas Civil  
22 Statutes), is amended to read as follows:

23 (3) Doctors of medicine and osteopathy licensed by the  
24 Texas State Board of Medical Examiners, ~~and~~ podiatrists licensed  
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16 SECTION 4. Subsection (e), Section 2.02, Texas Revised  
17 Partnership Act (Article 6132b-2.02, Vernon's Texas Civil  
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**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION**

**April 14, 2003**

**TO: Honorable Jane Nelson, Chair, Senate Committee on Health & Human Services**

**FROM: John Keel, Director, Legislative Budget Board**

**IN RE: SB1283 by Gallegos (Relating to the authority of chiropractors to form certain business entities with certain other professionals.), As Introduced**

**No fiscal implication to the State is anticipated.**

Based on the analysis of the Texas Board of Chiropractic Examiners, the provisions of the bill would have no fiscal impact to the state.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies: 508 Board of Chiropractic Examiners**

**LBB Staff: JK, EB, RT, TG**

# HOUSE COMMITTEE REPORT

03 MAY 10 PM 5: 22

HOUSE OF REPRESENTATIVES

1<sup>st</sup> Printing

By: Gallegos  
(Capelo)

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22 Statutes), is amended to read as follows:

23 (3) Doctors of medicine and osteopathy licensed by the  
24 Texas State Board of Medical Examiners, ~~[and]~~ podiatrists licensed  
25 by the Texas State Board of Podiatric Medical Examiners, and  
26 chiropractors licensed by the Texas Board of Chiropractic Examiners  
27 may organize a professional limited liability company that is

1 jointly owned by those practitioners to perform a professional  
2 service that falls within the scope of practice of those  
3 practitioners. When doctors of medicine, osteopathy, ~~[and]~~  
4 podiatry, and chiropractic organize a professional limited  
5 liability company that is jointly owned by those practitioners, the  
6 authority of each of the practitioners is limited by the scope of  
7 practice of the respective practitioners and none can exercise  
8 control over the other's clinical authority granted by their  
9 respective licenses, either through agreements, bylaws,  
10 directives, financial incentives, or other arrangements that would  
11 assert control over treatment decisions made by the practitioner.  
12 The Texas State Board of Medical Examiners, ~~[and]~~ the Texas State  
13 Board of Podiatric Medical Examiners, and the Texas Board of  
14 Chiropractic Examiners continue to exercise regulatory authority  
15 over their respective licenses.

16 SECTION 4. Subsection (e), Section 2.02, Texas Revised  
17 Partnership Act (Article 6132b-2.02, Vernon's Texas Civil  
18 Statutes), is amended to read as follows:

19 (e) Authority of Doctors of Medicine, ~~[and]~~ Osteopathy, and  
20 Chiropractic and Podiatrists to Create Partnership. Doctors of  
21 medicine and osteopathy licensed by the Texas State Board of  
22 Medical Examiners, ~~[and]~~ podiatrists licensed by the Texas State  
23 Board of Podiatric Medical Examiners, and chiropractors licensed by  
24 the Texas Board of Chiropractic Examiners may create a partnership  
25 that is jointly owned by those practitioners to perform a  
26 professional service that falls within the scope of practice of  
27 those practitioners. When doctors of medicine, osteopathy, ~~[and]~~

1    podiatry, and chiropractic create a partnership that is jointly  
 2    owned by those practitioners, the authority of each of the  
 3    practitioners is limited by the scope of practice of the respective  
 4    practitioners and none can exercise control over the other's  
 5    clinical authority granted by their respective licenses, either  
 6    through agreements, bylaws, directives, financial incentives, or  
 7    other arrangements that would assert control over treatment  
 8    decisions made by the practitioner. The Texas State Board of  
 9    Medical Examiners, ~~[and]~~ the Texas State Board of Podiatric Medical  
 10    Examiners, and the Texas Board of Chiropractic Examiners continue  
 11    to exercise regulatory authority over their respective licenses.

12            SECTION 5. This Act takes effect September 1, 2003.

# COMMITTEE REPORT

The Honorable Tom Craddick  
Speaker of the House of Representatives

5-9-2003  
(date)

Sir:

We, your COMMITTEE ON PUBLIC HEALTH

to whom was referred SB 1283 have had the same under consideration and beg to report back with the recommendation that it

- ( ☒ ) do pass, without amendment.  
 ( ) do pass, with amendment(s).  
 ( ) do pass and be not printed; a Complete Committee Substitute is recommended in lieu of the original measure.  
 ( ☒ ) yes ( ) no A fiscal note was requested.  
 ( ) yes ( ☒ ) no A criminal justice policy impact statement was requested.  
 ( ) yes ( ☒ ) no An equalized educational funding impact statement was requested.  
 ( ) yes ( ☒ ) no An actuarial analysis was requested.  
 ( ) yes ( ☒ ) no A water development policy impact statement was requested.  
 ( ) yes ( ☒ ) no A tax equity note was requested.  
 ( ) The Committee recommends that this measure be sent to the Committee on Local and Consent Calendars.

For Senate Measures: House Sponsor Capelo

Joint Sponsors: / / /

Co-Sponsors:

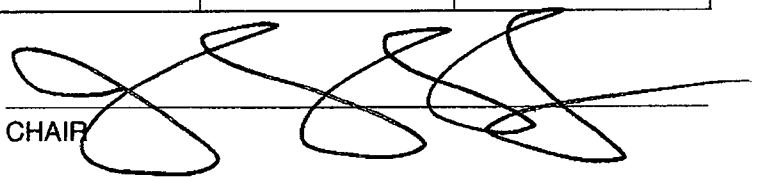
The measure was reported from Committee by the following vote:

	AYE	NAY	PNV	ABSENT
Capelo, Chair	<input checked="" type="checkbox"/>			
Laubenberg, Vice-chair				<input checked="" type="checkbox"/>
Coleman				<input checked="" type="checkbox"/>
Dawson	<input checked="" type="checkbox"/>			
McReynolds	<input checked="" type="checkbox"/>			
Naishtat	<input checked="" type="checkbox"/>			
Taylor	<input checked="" type="checkbox"/>			
Truitt		<input checked="" type="checkbox"/>		
Zedler	<input checked="" type="checkbox"/>			

Total

6 aye  
1 nay  
0 present, not voting  
2 absent

CHAIR





## **BILL ANALYSIS**

S.B. 1283  
By: Gallegos  
Public Health  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Under current law, a number of medical professions are allowed to organize, manage, and co-own limited liability companies, non-profit corporations, professional associations, and partnerships for the purpose of providing professional health care services. As proposed, this bill grants the same rights to chiropractors, while specifying that the Texas Board of Chiropractic Examiners would maintain responsibility for licensing and overseeing members of the profession.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

SECTION 1. Amends Articles 1396-2.01C and D, V.T.C.S., by adding chiropractors licensed by the Texas Board of Chiropractic Examiners (TBCE) to those professionals who may organize a certain non-profit corporation under this Act. Makes conforming changes.

SECTION 2. Amends Section 2(b), Article 1528f, V.T.C.S., by adding chiropractors licensed by TBCE to those professionals who may organize a certain association. Makes a conforming change.

SECTION 3. Amends Section A(3), Article 1528n, V.T.C.S., by adding chiropractors licensed by TBCE to those professionals who may organize a certain professional limited liability company. Makes conforming changes.

SECTION 4. Amends Section 2.02(e), Article 6132b-2.02, V.T.C.S., by adding chiropractors licensed by TBCE to those professionals who may create a certain partnership. Makes conforming changes.

SECTION 5. Effective date: September 1, 2003.

### **EFFECTIVE DATE**

September 1, 2003.

## SUMMARY OF COMMITTEE ACTION

SB 1283

May 9, 2003 8:00AM

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Considered in public hearing

Reported favorably without amendment(s)

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION**

**May 7, 2003**

**TO:** Honorable Jaime Capelo, Chair, House Committee on Public Health

**FROM:** John Keel, Director, Legislative Budget Board

**IN RE:** SB1283 by Gallegos (Relating to the authority of chiropractors to form certain business entities with certain other professionals.), **As Engrossed**

<b>No fiscal implication to the State is anticipated.</b>
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Based on the analysis of the Texas Board of Chiropractic Examiners, the provisions of the bill would have no fiscal impact to the state.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 508 Board of Chiropractic Examiners

**LBB Staff:** JK, EB, RT, TG

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION**

**April 14, 2003**

**TO: Honorable Jane Nelson, Chair, Senate Committee on Health & Human Services**

**FROM: John Keel, Director, Legislative Budget Board**

**IN RE: SB1283 by Gallegos (Relating to the authority of chiropractors to form certain business entities with certain other professionals.), As Introduced**

**No fiscal implication to the State is anticipated.**

Based on the analysis of the Texas Board of Chiropractic Examiners, the provisions of the bill would have no fiscal impact to the state.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies: 508 Board of Chiropractic Examiners**

**LBB Staff: JK, EB, RT, TG**

S.B. No. 1283

By Mario Gallego Jr.

A BILL TO BE ENTITLED

AN ACT:

relating to the authority of chiropractors to form certain business entities with certain other professionals.

3-12-03 Filed with the Secretary of the Senate  
MAR 19 2003 Read and referred to Committee on HEALTH & HUMAN SERVICES  
APR 22 2003 Reported favorably \_\_\_\_\_  
Reported adversely, with favorable Committee Substitute; Committee Substitute read first time.  
Ordered not printed  
MAY 06 2003 Laid before the Senate  
Senate and Constitutional Rules to permit consideration suspended by: { unanimous consent  
\_\_\_\_\_ yeas, \_\_\_\_\_ nays  
MAY 06 2003 Read second time, \_\_\_\_\_, and ordered engrossed by: { ~~unanimous consent~~  
a viva voce vote  
\_\_\_\_\_ yeas, \_\_\_\_\_ nays  
MAY 06 2003 Senate and Constitutional 3 Day Rule suspended by a vote of 31 yeas, 0 nays.  
MAY 06 2003 Read third time, \_\_\_\_\_, and passed by: { ~~A viva voce vote~~  
31 yeas, 0 nays

Latey Spaw  
SECRETARY OF THE SENATE

OTHER ACTION:

May 6, 2003 Engrossed  
May 6, 2003 Sent to House

Engrossing Clerk Mardi Alexander

MAY 06 2003 Received from the Senate  
MAY 07 2003 Read first time and referred to Committee on Public Health  
MAY 09 2003 Reported \_\_\_\_\_ favorably (~~as amended~~) (~~as substituted~~)  
MAY 11 2003 Sent to Committee on (Calendars) (~~Local & Consent Calendars~~)  
Read second time (comm. subst.) (amended); passed to third reading (failed) by a (non-record vote)  
(record vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, \_\_\_\_\_ present, not voting)  
Constitutional rule requiring bills to be read on three several days suspended (failed to suspend)  
by a vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, \_\_\_\_\_ present, not voting.  
Read third time (amended); finally passed (failed to pass) by a (non-record vote)  
(record vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, \_\_\_\_\_ present, not voting)  
Returned to Senate.  
Returned from House without amendment.  
Returned from House with \_\_\_\_\_ amendments.  
Concurred in House amendments by a viva voce vote \_\_\_\_\_ yeas, \_\_\_\_\_ nays.

CHIEF CLERK OF THE HOUSE

\_\_\_\_\_ Refused to concur in House amendments and requested the appointment of a Conference Committee to adjust the differences.

\_\_\_\_\_ Senate conferees instructed.

\_\_\_\_\_ Senate conferees appointed: \_\_\_\_\_, Chairman; \_\_\_\_\_  
\_\_\_\_\_, \_\_\_\_\_, and \_\_\_\_\_

\_\_\_\_\_ House granted Senate request. House conferees appointed: \_\_\_\_\_, Chairman;  
\_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_ Conference Committee Report read and filed with the Secretary of the Senate.

\_\_\_\_\_ Conference Committee Report adopted on the part of the House by: \_\_\_\_\_

{ a viva voce vote  
\_\_\_\_\_ yeas, \_\_\_\_\_ nays

\_\_\_\_\_ Conference Committee Report adopted on the part of the Senate by:

{ a viva voce vote  
\_\_\_\_\_ yeas, \_\_\_\_\_ nays

OTHER ACTION:

\_\_\_\_\_ Recommitted to Conference Committee

\_\_\_\_\_ Conferees discharged.

\_\_\_\_\_ Conference Committee Report failed of adoption by: \_\_\_\_\_

{ a viva voce vote  
\_\_\_\_\_ yeas, \_\_\_\_\_ nays

03 MAY 10 PM 5: 22  
HOUSE OF REPRESENTATIVES